



Docket No.: IOMC-0039

#2  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In Re Application of:**

Maki Wakita et al.

Application No.: 09/763,014

Filing Date: May 29, 2001

For: CARD-TYPE MAGNETIC RECORDING DEVICE

Confirmation No.: 1290

Group Art Unit: 2652

Examiner: Allen T. Cao

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OFFICE OF PETITIONS

EXPRESS MAIL LABEL NO: EL997978410US  
DATE OF DEPOSIT: September 16, 2003

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Technology Center 2600

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-identified patent application is:

- A Preliminary Amendment.
- An Amendment Responsive to the Office Action dated May 16, 2003.
- An Amendment Supplemental to the Paper filed
- A Substitute Specification (pages 1 - 16) in clean form.
- A substitute specification (pages 1 - 37) with markings.
- An Abstract is enclosed.
- replacement sheets of drawings are enclosed comprising figures
- A Certified Copy of each of the following applications: is enclosed.
- An Associate Power of Attorney is enclosed.

- Information Disclosure Statement.
  - Attached Form 1449.
  - A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- A Terminal Disclaimer is attached.
- Appendices as follows:
- Other:
  - Petition under 37 C.F.R. § 1.182 to Accept Amendment by a Substitute Specification pursuant to 37 C.F.R. § 1.121(b)(3).
  - Verification of Translation by Naoyuki Horibe.
  - Declaration by Naoyuki Horibe.
  - Declaration by Valerie Chicchi.

- No Additional Fee is Due.
- Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as
- This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

			SMALL ENTITY		NOT SMALL ENTITY		
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	Fee	RATE	Fee
TOTAL CLAIMS	12	20 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$ 0
INDEP. CLAIMS	2	3 (3 MINIMUM)	0	\$42 EACH	\$	\$84 EACH	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$110
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$	\$410	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID			minus	(\$ )	minus	(\$ )	
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input checked="" type="checkbox"/> OTHER: Petition to Accept Substitute Specification							\$130
TOTAL FEE DUE					\$		\$240

- A check in the amount of \$ .00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- Please charge Deposit Account No. 23-3050 in the amount of \$240.00. This sheet is attached in duplicate.
- Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of May 16, 2003 to and through September 16, 2003 comprising an extension of the shortened statutory period of one (1) month.

The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: September 16, 2003

Michael J. Swope  
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Examiner: Allen T. Cao

Honorable Commissioner of Patents and Trademarks  
Washington, DC 20231

Dear Sir:

**VERIFICATION OF TRANSLATION**

I, Naoyuki HORIBE, residing at c/o AIWA INTERNATIONAL PATENT AGENCY, Toranomon 19 Mori Bldg. 6F, No. 2-20, Toranomon 1-chome, Minato-ku, Tokyo, Japan, declare:

- 1) that I know well both Japanese and English languages;
- 2) that I translated the above-identified International Application from Japanese to English;
- 3) that the attached English translation is a true and correct translation of the above-identified International Application to the best of my knowledge and belief; and
- 4) that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements and the like are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: February 13, 2003

Naoyuki Horibe  
(Signature)

Naoyuki HORIBE  
(Typed Name of Translator)

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